

REMARKS

The last Office Action of August 7, 2009 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 2-25 are pending in the application. Claims 22-24 have been amended. Claim 18 has been canceled. No claims have been added. Amendments to the abstract have been made. No fee is due.

SPECIFICATION

Applicant has amended the abstract to conform to U.S. practice.

CLAIM OBJECTIONS

Claim 22 has been amended, as suggested by the Examiner.

Withdrawal of the objection of claim 22 is thus respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §102

Claim 24 stands rejected under 35 U.S.C. §102(b) as being anticipated by Spitzer et al. ("Direct Strip Casting (DSC)-An option for the Production of New Steel Grades").

The rejection under 35 U.S.C. 102(b) is respectfully traversed in view of the amendments to independent claim 24 and the following remarks.

Applicant has amended claim 24 by incorporating the subject matter of claim 18. Support for the changes to claim 24 can also be found in paragraph [0024] of the instant specification.

As a result, the rejection of claim 24 under 35 U.S.C. 102(b) becomes moot.

Withdrawal of the rejection under 35 U.S.C. §102(b) is thus respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 2-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Spitzer et al.

The rejection under 35 U.S.C. 103(a) is respectfully traversed in view of the amendments to independent claim 24 and the following remarks.

As noted *supra*, applicant has amended claim 24 by incorporating the subject matter of claim 18. More specifically, claim 24 now sets forth the application of an even cooling action across the width of the conveyor band as the melt is fed onto the conveyor band to form a shell at the start of solidification. As a result of the even cooling action, the problems of material flaws, caused by uneven cooling action and resultant local detachment of the shell from the conveyor band, can be eliminated.

Spitzer et al. are silent as to the presence of an even cooling action during the initial solidification phase. In fact, Spitzer et al. contemplate an even (homogenous) cooling only in the later secondary cooling zone (p. 724, left column 7th to 5th line from the bottom).

For the reasons set forth above, it is applicant's contention that Spitzer et al. neither teach nor suggest the features of the present invention, as recited in claim 24.

As for the rejection of the dependent claims 2-23, 25, these claims depend on claim 24, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection under 35 U.S.C. §103(a) is thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

CLARIFICATION AMENDMENT

Claim 23 has been amended to eliminate an ambiguity, caused when amending the originally filed claim 23. The deformation referred to in claim 23 should relate to the pre-strip rather than to the melt. Claim 23, as originally filed, clearly relates to the pre-strip as a result of the dependency from claim 22. Support for the change to claim 23 can also be found in paragraph [0021] of the instant specification.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

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Respectfully submitted,

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